



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

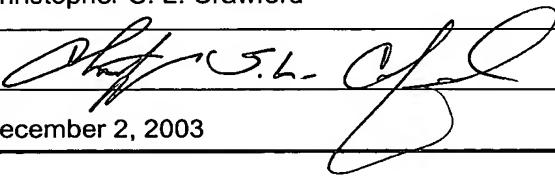
(to be used for all correspondence after initial filing)

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/651,879
	Filing Date	August 29, 2003
	First Named Inventor	Jim Feeley
	Art Unit	N/A
	Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission		Attorney Docket Number 59184/P002CP2/10302842

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): PTO Form SB/08 Return Post Card
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

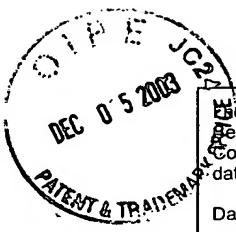
Firm or Individual name	FULBRIGHT & JAWORSKI L.L.P. Christopher S. L. Crawford
Signature	
Date	December 2, 2003

Transmittal

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: December 2, 2003

Signature:  (John Pallivathukal)



Hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below:

Dated: December 2, 2003 Signature: 
(John Pallivathukal)

Docket No.:
59184/P002CP2/10302842
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jim Feeley, et al.

Application No.: 10/651,879

Confirmation No.:

Filed: August 29, 2003

Art Unit: N/A

For: A BTE/CIC AUDITORY DEVICE AND
MODULAR CONNECTOR SYSTEM
THEREFOR

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Those patent(s) or publication(s) which are marked with an asterisk (*) next to the Cite No. in the attached form PTO/SB/08 (facsimile) are not supplied because they were previously cited by or submitted to the Office in a prior application number 09/927,891, filed August 10, 2001 and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

A concise explanation of relevance of the items listed on form PTO/SB/08 is not given.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 06-2380, under Order No. 59184/P002CP2/10302842.

Dated: December 2, 2003

Respectfully submitted,

By

Christopher S. L. Crawford

Registration No.: 51,586

FULBRIGHT & JAWORSKI L.L.P.

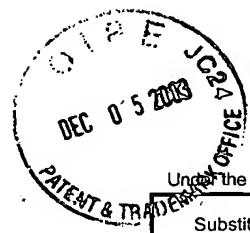
2200 Ross Avenue, Suite 2800

Dallas, Texas 75201-2784

(214) 855-8000

(214) 855-8200 (Fax)

Attorney for Applicant



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

				Complete if Known
Application Number	10/651,879			
Filing Date	August 29, 2003			
First Named Inventor	Jim Feeley			
Art Unit	N/A			
Examiner Name	Not Yet Assigned			
Sheet	1	of	2	Attorney Docket Number 59184/P002CP2/10302842

U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
AA	3,068,954 *		12-18-1962	Strzalkowski	
AB	3,123,678 *		03-03-1964	Prentiss, et al.	
AC	3,688,863 *		09-05-1972	Johnson	
AD	3,890,474 *		06-17-1975	Glicksberg	
AE	4,089,332 *		05-16-1978	Rose	
AF	4,606,329 *		08-19-1986	Hough	
AG	5,381,484 *		01-10-1995	Claes, et al.	
AH	5,606,621 *		02-25-1997	Reiter et al.	
AI	5,721,783 *		02-24-1998	Anderson	
AJ	5,978,146 *		11-16-1999	Pluvinage, et al.	
AK	6,021,207 *		02-01-2000	Puthuff, et al.	
AL	6,181,801 *		01-30-2001	Puthuff, et al.	
AM	6,275,596 *		08-14-2001	Fretz, et al.	
AN	5,701,348 *		12-23-1997	Shennib et al.	

FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
BA	EP 0 158 391 *		10-16-1985	N. V. Philips' Gloeilampenfabrieken		
BB	DE 35 08 830 *		09-18-1986	Robert Bosch GmbH,		
BC	FR 2 058.156 *		05-28-1971	Tomatis		
BD	JP 62/1987-151100 *		07-06-1987	Matsushita Electric Industrial Co. Ltd.		
BE	DE 36 38 747 *		10-08-1987	AS Audio Service GmbH		
BF	DE 36 25 891 *		02-04-1988	Robert Bosch GmbH,		
BG	EP 0 695 108 *		01-31-1996	Bruckhoff Apparatebau GmbH		
BH	WO 92/13430 *		08-06-1992	Adelman, Roger A.		
BI	EP 0 288 822 *		11-02-1988	Siemens AG		
BJ	WO 99/07182 *		02-11-1999	Decibel Instruments, Inc.		
BK	DE 35 02 178 *		08-29-1985	Phonak AG		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant

¹ Applicant's unique citation designation number (optional). ² See attached Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the application number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

25361983 .1	Date Considered
----------------	-----------------



PTO/SB/08A (10-01)

Approved for use through 10/31/2002, OMB 0651-0031

U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449A/PTO				Complete if Known	
				Application Number	10/651,879
				Filing Date	August 29, 2003
				First Named Inventor	Jim Feeley
				Art Unit	N/A
				Examiner Name	Not Yet Assigned
Sheet	2	of	2	Attorney Docket Number	59184/P002CP2/10302842

NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	Mark Ross and Raymond Cirimo; "Reducing Feedback in a Post-Auricular Hearing Aid by Implanting the Receiver in an Earmold"; The Volta Review (January 1980) pp. 40-44, January 1980. *	
	CB	William K. Vass, MS, and Laura A. Mims, MS; "Exploring the deep canal fitting advantage"; Hearing Instruments; vol. 44, Number 12 (1993) pp. 26 & 27 *	
	CC	Gustav Mueller; "CIC Hearing Aids: What Is Their Impact On The Occlusion Effect?"; The Hearing Journal; vol. 47, No. 11 (November 1994) pp. 29-35 *	
	CD	Webster's Ninth New Collegiate Dictionary, 1990, p. 392 *	
	CE	PCT Search Report for Application No. PCT/US96/07910 (June 14, 1995) *	

¹EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

²Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached..

25361983 .1		Date Considered	
----------------	--	-----------------	--